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**UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA**

ROBERT LOWINGER, Individually and
on behalf of all others similarly situated

Plaintiff,
v.

MGM MIRAGE, J. TERRENCE LANNI,
JAMES J. MURREN, DANIEL J.
D'ARRIGO and ROBERT H. BALDWIN,

Defendants

**Civil Action No. 2:09-CV-01558-BES-
LRL**

**NOTICE OF MOTION AND MOTION
OF ROBERT W. KEGLEY, SR. TO
CONSOLIDATE RELATED
ACTIONS; TO BE APPOINTED LEAD
PLAINTIFF; AND TO APPROVE
PROPOSED LEAD PLAINTIFF'S
CHOICE OF COUNSEL**

KHACHATUR HOVHANNISYAN,
Individually and on behalf of all others
similarly situated

Plaintiff,
v.

MGM MIRAGE, J. TERRENCE LANNI,
JAMES J. MURREN, DANIEL J.
D'ARRIGO and ROBERT H. BALDWIN,

Defendants

Civil Action No. 2:09-CV-2011-LRH-RJJ

PLEASE TAKE NOTICE that Robert W. Kegley, Sr. (“Mr. Kegley”) hereby respectfully moves this Court for an Order: (1) consolidating all related Actions; (2) appointing him as the Lead Plaintiff in these Actions pursuant to Section 21D(a)(3)(B) of the Securities Exchange Act of 1934, 15 U.S.C. §78u-4(a)(3)(B), as amended by Section 101(b) of the Private Securities Litigation Reform Act of 1995 (“PSLRA”); (3) approving his selection of the law firm of Brower Piven, A Professional Corporation (“Brower Piven”) as Lead Counsel for Lead Plaintiff and the Class and appointing the law firm of Cooksey, Toolen, Gage, Duffy & Woog, A Professional Corporation (“Cooksey Firm”) as Liaison Counsel for Lead Plaintiff and the Class; and (4) granting such other and further relief as the Court may deem just and proper.

Mr. Kegley makes this Motion on the belief that he is the most “adequate plaintiff” as defined in the PSLRA because: (1) he has incurred a loss of \$1,703,877.00, the largest financial interest in the relief sought by the Class, as a result of his purchases of shares of MGM Mirage securities during the Class Period based on information currently available, and (2) he satisfies the typicality and adequacy requirements of Fed. R. Civ. P. 23.

Mr. Kegley further requests that the Court approve his selection of Brower Piven as Lead Counsel for Lead Plaintiff and the Class and appoint the Cooksey Firm as Liaison Counsel for

Lead Plaintiff and the Class. Brower Piven has actively investigated the allegations raised against Defendants. Further, Brower Piven has not only prosecuted complex securities fraud class actions, but has also successfully prosecuted many other types of complex class actions as lead and/or class counsel. In addition, the Cooksey Firm is a well respected law firm, and its attorneys have experience litigating complex actions.

The facts and law supporting this Motion are fully set forth in the accompanying Memorandum In Support Of The Motion Of Robert W. Kegley, Sr. To Consolidate Related Actions; To Be Appointed Lead Plaintiff; And To Approve Proposed Lead Plaintiff's Choice Of Counsel and the Declaration of Griffith H. Hayes In Support Of The Motion Of Robert W. Kegley, Sr. To Consolidate Related Actions; To Be Appointed Lead Plaintiff; And To Approve Proposed Lead Plaintiff's Choice Of Counsel.

WHEREFORE, for all of the reasons set forth herein and in the Memorandum In Support Of The Motion Of Robert W. Kegley, Sr. To Consolidate Related Actions; To Be Appointed Lead Plaintiff; And To Approve Proposed Lead Plaintiff's Choice Of Counsel and the Declaration of Griffith H. Hayes In Support Of The Motion Of Robert W. Kegley, Sr. To Consolidate Related Actions; To Be Appointed Lead Plaintiff; And To Approve Proposed Lead Plaintiff's Choice Of Counsel, submitted herewith, Mr. Kegley respectfully requests that this Court: (1) consolidate the related Actions; (2) appoint him as Lead Plaintiff; (3) approve Brower Piven as Lead Counsel for Lead Plaintiff and the Class and the Cooksey Firm as Liaison Counsel for Lead Plaintiff and the Class; and (4) grant such other and further relief as the Court may deem just and proper.

Dated: October 19, 2009

Respectfully Submitted,

**COOKSEY, TOOLEN, GAGE,
DUFFY & WOOG
A Professional Corporation**

/s/ Griffith H. Hayes

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*Counsel for Robert W. Kegley, Sr. and
Proposed Lead Counsel for the Class*

CERTIFICATE OF SERVICE

I hereby certify that this Motion Of Robert W. Kegley, Sr. To Consolidate Related Actions; To Be Appointed Lead Plaintiff; And To Approve Proposed Lead Plaintiff's Choice Of Counsel with the Memorandum In Support Of The Motion Of Robert W. Kegley, Sr. To Consolidate Related Actions; To Be Appointed Lead Plaintiff; And To Approve Proposed Lead Plaintiff's Choice Of Counsel and the Declaration of Griffith H. Hayes In Support Of The Motion Of Robert W. Kegley, Sr. To Consolidate Related Actions; To Be Appointed Lead Plaintiff And To Approve Proposed Lead Plaintiff's Choice Of Counsel (with Exhibits A-E) was filed through the ECF system and will be sent electronically to the registered participants as identified on the Notice of Electronic Filing (NEF), and electronically sent to those indicated as non-registered participants on October 19, 2009.

/s/ *Griffith H. Hayes*
Griffith H. Hayes